

FILED

October 26, 2020

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS**UNITED STATES DISTRICT COURT**for the
Western District of TexasBY: Veronica Medina
DEPUTY

United States of America

v.

Rosa Armida Hernandez-Garcia*Defendant(s)*Case No. **EP-20-MJ-3480 LS****CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 23, 2020 in the county of El Paso in the
Western District of Texas, the defendant(s) violated:*Code Section*

18 U.S.C. 1546

Offense Description

when applying for admission of the United States, did knowingly personate another and attempt to evade immigration laws by appearing under an assumed or fictitious name.

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date: October 26, 2020City and state: El Paso, Texas**Oath Telephonically Sworn**

12:24 PM

At _____:

Fed.R.Crim.P.4.1(b)(2)(A)
*Complainant's signature*Vanessa Falcon
CBP Enforcement Officer*Printed name and title*Leon Schydlower
United States Magistrate Judge*Printed name and title*

FACTS

On or about October 23, 2020, the DEFENDANT, Rosa Armida Hernandez-Garcia, a native and citizen of Mexico, attempted to enter the United States at the Paso Del Norte Port of Entry, in El Paso, Texas as a passenger of a vehicle. The DEFENDANT presented to primary Customs and Border Protection (CBP) Officer C. Serna a United States passport card bearing the initials M.B. and claimed to be that person. During the inspection Officer Serna noticed the DEFENDANT appeared to be nervous and was mumbling her answers and looking down. Upon querying the passport card Officer Serna received a positive alert and referred the DEFENDANT to Passport Control Secondary (PCS) for further inspection.

In PCS, the DEFENDANT admitted the passport card was not hers and had rented the document for \$1,500 dollars. The DEFENDANT was in possession of her Mexican Electoral Identification Card bearing her true name. The DEFENDANT was advised of her Miranda Rights, which she claimed to have understood, and invoked her right to remain silent. At this time all questioning ceased. Record checks indicate the DEFENDANT does not have any documents allowing her to legally enter the United States.

Because this Affidavit is being submitted for the limited purpose of establishing probable cause as set forth herein, I have not included each and every fact known to me concerning this investigation.

CRIMINAL AND IMMIGRATION RECORD

CRIMINAL RECORD

None can be established at this time.

IMMIGRATION RECORD

None can be established at this time.